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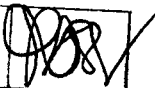
AZ CORP COMMISSION
DOCKET CONTROL

Docket#(s): RR-02635B-07-0530

Exhibit # : 51

Arizona Corporation Commission
DOCKETED

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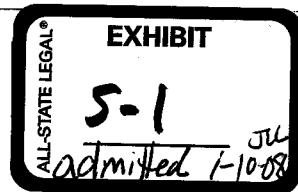
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COMMISSIONERS
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GARY PIERCE

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ARIZONA CORPORATION COMMISSION



RECEIVED DAVID RABER
Director, Safety Division

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Staff Memorandum

Arizona Corporation Commission

To: THE COMMISSION **DOCKETED** DOCKET NO. RR-02635B-07-0530

From: Safety Division NOV 20 2007

Date: November 20, 2007

DOCKETED BY

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RE: IN THE MATTER OF THE APPLICATION OF THE ARIZONA DEPARTMENT OF TRANSPORTATION TO UPGRADE AN EXISTING CROSSING OF THE BURLINGTON NORTHERN SANTA FE RAILWAY AT HADLEY STREET IN THE CITY OF PHOENIX, MARICOPA COUNTY, ARIZONA, AT AAR/DOT NO. 025-834-C.

On September 17, 2007, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") an application for approval for the Burlington Northern and Santa Fe Railway Company ("Railroad") to upgrade the existing crossing at the Railroad's tracks at Hadley Street, in Phoenix, Arizona, at AAR/DOT No. 025-834-C.

This project is a Federally Funded 130 project, and appeared on the 2005 Arizona Corporation Commission Annual Array, which was approved by the Commission on May 2, 2005 in Decision No. 67777. The purpose of this program is to comply with Federal and State legislation seeking to eliminate hazards to pedestrians and highway vehicles at public railway-highway crossings. Only crossings which are located on public roads, and which are not primarily for the benefit of the railroad, are eligible for this program. The Federal Highway Administration ("FHWA") issues authorizations for design and construction of each project, reimburses ADOT for the cost and conducts a final inspection of each project. The Railroad will invoice ADOT for 100% of the cost of the project.

Arizona Revised Statute § 40-337.03 states that "the commission shall submit to the railroad involved and the city, county and department of transportation in which jurisdiction a public railroad grade crossing is located, an array of such crossings where the installation of automatic warning signals or devices should be considered during the year, or within a reasonable time thereafter depending upon the availability of monies, materials, labor and other factors involved in such installation".

COMMISSIONERS
MIKE GLEASON - Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE



ARIZONA CORPORATION COMMISSION

BRIAN C. MCNEIL
Executive Director

DAVID RABER
Director, Safety Division

Currently there are passive devices (crossbucks) along with stop signs installed at Hadley Street. The proposed project entails installing 12' LED flashing lights, bells and automatic gates. These new devices will conform to ACC and MUTCD (Manual on Uniform Traffic Control Devices) standards. The estimated cost of the project is \$287,273.00. The Railroad will maintain the warning devices after the upgrade is completed.

The posted speed limit on Hadley Street is 25 mph. Traffic count data received from ADOT and the City of Phoenix show the Average Daily Traffic (ADT) for this location to be 307 vehicles per day (vpd). Due to the low amount of traffic volume, the City of Phoenix stated that they would not be able to calculate the Level of Service (LOS) at this location.

Train data provided by the BNSF states that there are 2-3 train movements through this crossing per day. The train speed at this location is 10 mph. No passenger trains run on this line.

According to Railroad Safety Section accident/ incident records and the Federal Railroad Administration, there have been no accidents at the Hadley Street crossing. Staff is in full support of the proposed warning device upgrades to this crossing.

Having reviewed all applicable data, Staff supports the current proposed upgrades to the crossing at Hadley Street as presented by ADOT's application. Staff believes that the upgrades are in the public interest and are reasonable. Therefore, Staff recommends approval of ADOT's application.

A handwritten signature in black ink, appearing to read 'Dave Raber'.

Dave Raber
Director
Safety Division

A handwritten signature in black ink, appearing to read 'Brian H. Lehman'.

Brian H. Lehman
Railroad Supervisor
Safety Division

DR: BHL: cbw

Originator: Chris B. Watson